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December 3, 2007

David Furth, Associate Bureau Chief
Public Safety and Homeland Security Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Sprint Nextel's Status Report on 800 MHz Band Reconfiguration
WT Docket 02-55

Dear Mr. Furth:

Sprint Nextel Corporation ("Sprint Nextel") hereby files the attached report regarding the 800 MHz band reconfiguration progress with the Federal Communications Commission ("Commission") and the 800 MHz Transition Administrator, LLC ("TA"). In its September 12, 2007 *Third Memorandum Opinion and Order* in the above-captioned proceeding, the Commission required Sprint Nextel to submit monthly reports regarding its clearing of Channels 1-120. See *Improving Public Safety Communications in the 800 MHz Band*, Third Memorandum Opinion and Order, WT Docket No. 02-55, at ¶¶ 29-30 (rel. Sep. 12, 2007) ("*Third Memorandum Opinion and Order*").¹

As demonstrated in this report, the substantial progress in 800 MHz band reconfiguration noted in Sprint Nextel's previous monthly reports has continued. In the past month, Sprint Nextel has completed the retuning of all non-Sprint Nextel, non-SouthernLinc Channel 1-120 incumbent licensees in one additional NPSPAC region (Missouri), raising the number of completed Phase I NPSPAC regions to thirty-eight. In the eighteen remaining NPSPAC regions or U.S. Territories in which Channel 1-120 clearing has not been fully completed, fifteen have three or fewer 1-120 Channel licensees remaining to be retuned. ***Overall, ninety-five percent of the nearly 1200 Channel 1-120 licensees that must be retuned during Phase I of 800 MHz band reconfiguration have been retuned.***

Recent filings by the 800 MHz Transition Administrator ("TA")² and this report also demonstrate a steady increase in the number of public safety licensees that have signed Frequency Retuning Agreements ("FRAs") and have established dates to initiate their Phase II infrastructure retunes. As of today, public safety licensees and Sprint Nextel have signed nearly

¹ By continuing to file these reports in compliance with this reporting requirement, Sprint Nextel does not waive its right to challenge those requirements or any other portion of the *Third Memorandum Opinion and Order*.

² 800 MHz Transition Administrator, LLC, Quarterly Progress Report for the Quarter Ended September 30, 2007, filed November 20, 2007 in WT Docket 02-55.

500 FRAs. We have also reached over 400 Planning Funding Agreements (“PFAs”). Aided by nearly twenty 800 MHz TA-sponsored Regional Planning meetings to date, sixty-four Phase II NPSPAC licensees have established a date certain with Sprint Nextel for completing their retunes. This number should continue to grow steadily, as Sprint Nextel and additional public safety NPSPAC licensees continue to finalize infrastructure retune dates, typically as a result of the TA Regional Planning meetings. Finally, over seventy licensees, including both NPSPAC and Expansion Band public safety licensees have fully retuned to their new channel assignments.

At the same time, we are including in this report a number of concerns regarding efforts to facilitate completion of Phase I and Phase II of 800 MHz band reconfiguration. While ninety-five percent of all Phase I retunes are complete, as noted above, Figure 1 demonstrates that fifty-eight Phase I non-border licensees have not completed their Phase I retunes. While some will be completed by the end of December, we believe that most of these licensees will not complete their retunes by the Commission’s December 26, 2007 Phase I retuning deadline. These delayed retunes may in turn prevent corresponding Phase II licensees from initiating their own retunes. We provide below additional details on this group of licensees.

- Missed Contract Dates. Twelve licensees did not complete their retunes within the time periods specified in their respective FRA and half of them are now more than 120 days past their retune deadlines. Four of the twelve licensees are the last remaining 1-120 incumbent licensees left to retune in their respective regions.
- No FRAs. Twenty-three licensees have not yet signed (“FRAs”). Of them, seven are public safety agencies that are continuing to conduct planning pursuant to Planning Funding Agreements; accordingly, they have not provided retuning cost estimates and work plans to Sprint Nextel from which to negotiate FRAs. In addition, four other Phase I licensees have issues that are the subject of administrative proceedings either before the Bureau or the Commission’s Administrative Law Judges. Most of the remaining unsigned licensees are negotiating FRAs with Sprint Nextel.
- Other Issues. With few exceptions the remaining licensees fall into one of the following categories: those that are planning and/or implementing their Phase I retune as part of the their Phase II retunes (such as Fairfax County, Virginia); those with retunes in progress and that are contractually required to complete their retunes prior to December 26, 2007 (such as Montgomery County, Maryland); those with retunes in progress that are not contractually required to complete their retunes until after December 26, 2007, but may do so by the end of 2007 or mid-January 2008 (such as the State of Florida).

Upon request, Sprint Nextel would be pleased to provide the specific details regarding the retuning progress of any of the above-referenced Phase I licensees. With this information, the Bureau can take appropriate action prior to the Commission’s December 26, 2007 Phase I deadline.

Sprint Nextel observes that the Bureau has recently taken a series of actions that may be hindering Phase II completion. In the past month, the Bureau appears to have granted over 100 waivers of the Commission’s Wave 1 and Wave 2 planning deadlines. These waiver requests

have neither been filed in the 800 MHz rulemaking docket nor otherwise made publicly available.

Since we have not seen the majority of the waiver requests, Sprint Nextel takes no position at this time on the propriety of the Bureau's grants. We note, however, that the sheer number of planning completion deadline waivers requested by public safety licensees suggests that many may not be ready to timely initiate FRA negotiations, execute FRAs and complete their retunes within the Commission's current timeline. In that regard, the Bureau's waiver requirement for planning completion deadlines appears to be causing licensees to divert their resources to preparing waiver requests and away from doing the planning needed to finish band reconfiguration.³ This, too, has ramifications for the time necessary to complete 800 MHz reconfiguration.⁴

Sprint Nextel remains committed to completing 800 MHz band reconfiguration and submits that by any objective measure substantial progress continues to occur. Sprint Nextel looks forward to providing its next update to the Bureau after the Commission's December 26, 2007 Phase I deadline.

Should you have any further questions in this matter, please contact the undersigned.

Respectfully submitted

/s/

Lawrence R. Krevor
Vice President – Spectrum

James B. Goldstein
Director, Spectrum Reconfiguration

cc: 800 MHz Transition Administrator

³ See e.g., FCC REBANDING ORDER CREATES MAJOR HEADACHES, by Glenn Bischoff, Mobile Radio Technology Magazine (November 14, 2007), available at: http://mrtnmag.com/rebanding/news/fcc_rebanding_order_111407/ (“Andy Maxymillian, senior consultant for Blue Wing Services who also represents 800 MHz licensees, said the new deadlines set by the FCC's September order effectively stopped rebanding work for his clients. “The reaction from the clients that we're working with has not been to accelerate the work that they're doing. In fact, in a lot of cases, it has been just the opposite,” he said. “The Oct. 15 deadline was the big example, where licensees were required to complete planning by [that date]. In almost every case in our client base, there wasn't an acceleration to speed up to meet that date, there was a pause ... to write up requests for extensions or waivers.”)

⁴ Notwithstanding these concerns, Sprint Nextel will continue to make Channels 1—120 available to public safety licensees to retune their channel infrastructure within 60 days notice, as described in the Transition Administrator's November 30, 2007 Press Release and the *Third Memorandum Opinion and Order*.

Monthly Status Report to FCC**Figure 1: Retuning Status of Channels 1-120 – Non-Border Licensees**

NPSPAC Region #	Region Name	# of Non-Border Licensees		
		1-120 Total Licensees	1-120 Licensees Cleared	1-120 Licensees Remaining
1	Alabama	7	7	0
2	Alaska	13	13	0
3	Arizona	48	45	3
4	Arkansas	17	17	0
5	Southern California	6	5	1
6	Northern California	63	62	1
7	Colorado	21	21	0
8	New York Metropolitan Area	49	49	0
9	Florida	105	88	17
10	Georgia	42	39	3
11	Hawaii	32	32	0
12	Idaho	12	12	0
13	Illinois	30	30	0
14	Indiana	19	19	0
15	Iowa	10	10	0
16	Kansas	16	16	0
17	Kentucky	16	16	0
18	Louisiana	44	33	11
19	New England	36	35	1
20	Washington, DC/Baltimore	31	25	6
21	Michigan	2	2	0
22	Minnesota	51	51	0
23	Mississippi	17	15	2
24	Missouri	23	23	0
25	Montana	11	11	0
26	Nebraska	7	7	0
27	Nevada	45	45	0
28	Eastern PA (Philadelphia)	32	32	0
29	New Mexico	24	24	0
30	New York – Albany	8	7	1
31	North Carolina	31	29	2
32	North Dakota	8	8	0
33	Ohio	16	15	1
34	Oklahoma	11	11	0

NPSPAC Region #	Region Name	# of Non-Border Licensees		
		1-120 Total Licensees	1-120 Licensees Cleared	1-120 Licensees Remaining
35	Oregon	24	23	1
36	Pennsylvania	7	7	0
37	South Carolina	14	13	1
38	South Dakota	9	9	0
39	Tennessee	31	31	0
40	Dallas, TX	23	23	0
41	Utah	10	10	0
42	Virginia	27	27	0
43	Washington	11	11	0
44	West Virginia	5	5	0
45	Wisconsin	15	15	0
46	Wyoming	3	3	0
47	Puerto Rico	12	9	3
48	Virgin Islands	8	8	0
49	Austin, TX	8	8	0
50	Texas - El Paso	16	16	0
51	Houston, TX	23	23	0
52	Lubbock, TX	25	25	0
53	Texas - San Antonio	14	13	1
54	Great Lakes (Chicago)	40	39	1
55	Western Upstate New York	0	0	0
	US Territories (Guam, Northern Mariana, Gulf of Mexico, etc.)	2	0	2

Monthly Status Report to FCC

Figure 2: Retuning Status of Channels 1-120 – SouthernLinc Cleared

NPSAC Region #	Region Name	SouthernLinc 1-120 Channels Cleared
1	Alabama	1
9	Florida	0
10	Georgia	1
23	Mississippi	0
31	North Carolina	0
37	South Carolina	0
39	Tennessee	0

Monthly Status Report to FCC

Figure 3: Retuning Status of Channels 1-120 – Sprint Nextel Clearing

NPSPAC Region #	Region Name	# of Channels
		Sprint Nextel 1-120 Cleared for Licensees
1	Alabama	0
2	Alaska	0
3	Arizona	0
4	Arkansas	5
5	Southern California	0
6	Northern California	24
7	Colorado	82
8	New York Metropolitan Area	10
9	Florida	0
10	Georgia	0
11	Hawaii	0
12	Idaho	0
13	Illinois	4
14	Indiana	2
15	Iowa	0
16	Kansas	25
17	Kentucky	16
18	Louisiana	0
19	New England	2
20	Washington, DC/Baltimore	0
21	Michigan	0
22	Minnesota	1
23	Mississippi	3
24	Missouri	15
25	Montana	0
26	Nebraska	2
27	Nevada	0
28	Eastern PA (Philadelphia)	0
29	New Mexico	0
30	New York – Albany	0
31	North Carolina	0
32	North Dakota	0
33	Ohio	0
34	Oklahoma	5

NPSPAC Region #	Region Name	# of Channels
		Sprint Nextel 1-120 Cleared for Licensees
35	Oregon	11
36	Pennsylvania	0
37	South Carolina	0
38	South Dakota	0
39	Tennessee	3
40	Dallas, TX	14
41	Utah	5
42	Virginia	25
43	Washington	0
44	West Virginia	0
45	Wisconsin	0
46	Wyoming	11
47	Puerto Rico	0
48	Virgin Islands	0
49	Austin, TX	0
50	Texas - El Paso	0
51	Houston, TX	13
52	Lubbock, TX	0
53	Texas - San Antonio	0
54	Great Lakes (Chicago)	2
55	Western Upstate New York	0
	US Territories (Guam, Northern Mariana, Gulf of Mexico, etc.)	0

Figure 4: NPSPAC Licensees' Agreed Upon Sprint Nextel Clear Dates for Channels 1-120

NPSPAC Region #	Region Name	Licensee Name	Agreed Upon Date for Sprint Nextel to Clear By
1	Alabama	Talladega County EMA, AL PH II	12/27/2007
4	Arkansas	Jefferson, County of, AR PH II	9/27/2007
6	California - North	Lodi, City of, CA PH II	9/15/2007
6	California - North	Emeryville, City of, CA PH II	9/25/2007
6	California - North	Campbell, City of, CA PH II	10/1/2007
6	California - North	San Joaquin, County of, CA PH II	10/1/2007
6	California - North	Stockton, City of, CA PH II	10/1/2007
6	California - North	Contra Costa County, CA PH II	10/22/2007
6	California - North	Ceres, City of, CA PH II	10/31/2007
6	California - North	Turlock, Gustine City's of, CA PH II	10/31/2007
6	California - North	University of California - Merced PH II	1/15/2008
6	California - North	Vacaville, City of, CA PH II	2/15/2008
7	Colorado	Lakewood, City of, CO, Phase II	6/19/2007
7	Colorado	Pikes Peak Regional Comm Network	9/15/2007
7	Colorado	Adams Twelve Five Star School District, Phase II	11/27/2007
7	Colorado	Westminster, City of, CO PH II	12/1/2007
8	New York - Metropolitan ⁵	New York, State of PH II Metro 21	9/4/2007
10	Georgia	Crisp, County of, GA	12/13/2007
13	Illinois	Saint Clair County Transit District, IL PH II ⁶	7/31/2007

⁵ In Sprint Nextel's November 1, 2007 report, Sprint Nextel reported that it had reached agreement with the Port Authority of New York – New Jersey ("Port Authority") regarding the date when Sprint Nextel would make its 1-120 channels available for the Port Authority to initiate its retune. Port Authority has been temporarily removed from this listing of agreed upon retune dates, as the parties continue to finalize the FRA.

⁶ Licensee transactions may cross multiple regions, e.g. Saint Clair County Transit is in Illinois and Missouri, and Baptist Memorial Health Care is in Mississippi and Tennessee.

14	Indiana	Lagrange County Communications, IN Ph II	9/16/2007
14	Indiana	Hancock County of, IN PH II	10/24/2007
14	Indiana	Cass, County of, IN Ph II	11/19/2007
14	Indiana	Anderson, City of, IN Ph II	11/26/2007
14	Indiana	Metropolitan Emergency Communications Agcy PH II	11/30/2007
14	Indiana	Steuben, County of, IN PH II	12/5/2007
14	Indiana	Howard, County of, IN PH II	12/17/2007
16	Kansas	Finney County, KS PH II	9/21/2007
16	Kansas	Prairie Band of Potawatomi Nation, KS PH II	10/15/2007
16	Kansas	Wabaunsee County, KS PH II	11/25/2007
16	Kansas	Mc Pherson County, KS PH II	12/4/2007
17	Kentucky	Kentucky State Police PH II	9/10/2007
17	Kentucky	Campbell, County oF, KY PH II	11/8/2007
17	Kentucky	Covington, City oF, KY PH II	11/9/2007
17	Kentucky	Kenton, County oF, KY PH II_Police	11/9/2007
19	Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut	Watertown, Town of, MA PH II	6/22/2007
19	Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut	South Hadley, Town of, MA PH II	6/23/2007
19	Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut	North Andover, Town of, MA PH II	12/15/2007
22	Minnesota	Brown, County of, MN PH II	7/31/2007
22	Minnesota	Sherburne, County of, MN PH II	12/17/2007
22	Minnesota	Hennepin, County of, MN PH II	1/2/2008
22	Minnesota	Rice & Steele, County of, MN PH II	1/9/2008
23	Mississippi	Baptist Memorial Health Care Corporation PH II	11/28/2007

24	Missouri	Saint Clair County Transit District, IL PH II	7/31/2007
24	Missouri	Liberty, City of, MO PH II	9/11/2007
24	Missouri	Joplin, City of, MO PH II	10/22/2007
26	Nebraska	Scottsbluff, County of, NE PH II	12/21/2007
27	Nevada	North Las Vegas, City of, NV PH II	2/25/2008
34	Oklahoma	Owasso, City of, OK PH II	12/15/2007
35	Oregon	Oregon Department of Corrections PH II	10/1/2007
35	Oregon	Oregon, State of - OR PH II	10/1/2007
39	Tennessee	Baptist Memorial Health Care Corporation PH II	11/28/2007
40	Texas - Dallas	Greenville, City of, TX PH II	11/3/2007
40	Texas - Dallas	Baylor Health Care System, TX PH II	11/20/2007
40	Texas - Dallas	Parker County, TX PH II	11/20/2007
40	Texas - Dallas	Sherman, City of, TX PH II	11/25/2007
40	Texas - Dallas	City of North Richland Hills, TX PH II	11/28/2007
40	Texas - Dallas	Duncanville, City of, TX PH II	12/1/2007
41	Utah	Salt Lake City, City of, UT PH II	11/11/2007
42	Virginia	Harrisonburg-Rockingham Emer Comms. Center PH II	11/18/2006
42	Virginia	Blacksburg, Town of, VA PH II	12/9/2007
46	Wyoming	Cheyenne, City of, WY PH II	11/14/2007
51	Texas - Houston	Matagorda County, TX PH II	12/8/2007
54	Chicago - Metropolitan	Rock, County of, WI PH II	10/3/2007
54	Chicago - Metropolitan	Milwaukee, City of, WI PH II	12/13/2007